

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

In Re:

Erik M. Niemiec

Chapter 13

Bankruptcy No. 23-10628-AMC

Debtor

\* \* \* \* \*

**NOTICE OF MOTION, RESPONSE  
DEADLINE AND HEARING DATE**

Scott F. Waterman, Esq., Standing Chapter 13 Trustee, has filed Trustee's Motion to Dismiss Pursuant to 11 U.S.C. Section 1307 with the Court for dismissal of this case.

1. **Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult an attorney).**
2. **If you do not want the court to grant the relief sought in the Motion** or if you want the court to consider your views on the motion, then on or before September 24, 2025 **you or your attorney must file a response to the Motion.** (see Instructions on next page).
3. **A hearing on the Motion** is scheduled to be held before the Honorable Ashely M. Chan, United States Bankruptcy Judge, on **Wednesday, October 8, 2025 at 10:00 am**, at U.S. Bankruptcy Court, Robert N.C. Nix Building, 900 Market Street, Courtroom #4, Philadelphia, PA 19107. Unless the court orders otherwise, the hearing on this contested matter will be an **evidentiary hearing**.
4. **If you do not file a response to the Motion**, the court may cancel the hearing and enter an order granting the relief requested in the Motion.
5. You may contact the Bankruptcy Clerk's office for Philadelphia cases at (215) 408-2800 and for Reading cases at (610) 208-5040 to find out whether the hearing has been canceled because no one filed a response.
6. If a copy of the motion is not enclosed, a copy of the Motion will be provided to you if you request a copy from the attorney whose name and address is listed on the next page of this Notice.
7. **If you are required to file documents electronically by Local Bankruptcy Rule 5005-1**, you must file your response electronically
8. **If you are not required to file electronically**, you must file your response at

U.S. Bankruptcy Court  
Robert N.C. Nix Building  
900 Market Street, Suite 400  
Philadelphia, PA 19107

9. **If you mail your response** to the bankruptcy clerk's office for filing, you must mail it early enough so that it will be received on or before the date stated in Paragraph 2 on the previous page of this Notice.
10. On the same day that you file or mail your Response to the Motion, you must mail or deliver a copy of the Response to the movant's attorney:

Ann Swartz, Esq.  
for  
Scott F. Waterman, Esq.,  
Standing Chapter 13 Trustee  
2901 St. Lawrence Avenue, Suite 100  
Reading, Pennsylvania 19606  
Telephone: (610) 779-1313  
Fax: (610) 779-3637

Date: September 10, 2025